

P26316.A05

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Susumu MUTO et al.

Confirmation No.: 5597

Appl. No. : 10/516,294  
(U.S. National Stage of PCT/JP03/07119)

Group Art Unit : 1614

I.A. Filed : June 5, 2003

Examiner : W. WEBB

For : NF-KB ACTIVATION INHIBITORS

## TERMINAL DISCLAIMER

Commissioner for Patents  
U.S. Patent and Trademark Office  
Customer Service Window, Mail Stop AMENDMENT  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir :

Your petitioner, Institute of Medicinal Molecular Design, Inc., having a business address of 4<sup>th</sup> Floor, Kadokawa-hongo Bldg., 24-5, Hongo 3-chome, Bunkyo-ku, Tokyo 113-0033, JAPAN, represents that it is the owner of record of the entire right, title and interest of the above-identified application by virtue of an assignment to Institute of Medicinal Molecular Design, Inc., recorded in the U.S. Patent and Trademark Office on September 12, 2005, at Reel 017028, Frame 0060, for Application No. 10/516,294 for "NF-KB ACTIVATION INHIBITORS."

Your petitioner, Institute of Medicinal Molecular Design, Inc., further represents that it is the owner of record of the entire right, title, and interest of U.S. Application No. 10/516,292, for "Medicament for treatment of cancer," by virtue of assignments recorded in the U.S. Patent and Trademark Office on July 5, 2005, at Reel 016746, Frame 0011, and on June 12, 2005, at Reel 017762, Frame 0010.

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The undersigned representative is authorized to act on behalf of the assignee, and it is certified that to the best of the undersigned's knowledge and belief, title is in the assignee.

Your petitioner, Institute of Medicinal Molecular Design, Inc., hereby disclaims, except as provided below, the terminal part of any patent granted on the above-identified application which would extend beyond the expiration date of any patent to issue from U.S. Application No. 10/516,292, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Application No. 10/516,292, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above identified application prior to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 as presently shortened by any terminal disclaimer of U.S. Application No. 10/516,292 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), have all claims cancelled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of their full statutory term as presently shortened by any terminal disclaimer, except for the failure of common ownership stated above.

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I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,  
Institute of Medicinal Molecular Design, Inc.

By Akiko Itai  
Name Akiko ITAI

President & C.E.O.  
Title

December 17, 2007

December 14, 2007  
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